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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SCOTTSDALE INSURANCE COMPANY,

Plaintiff,

-v-

PATRICK MCGRATH, AH DB KITCHEN  
INVESTORS LLC, and CASTLEGRACE EQUITY  
INVESTORS, LLC,

Defendants.

19-cv-7477 (LJL)

ORDER

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PATRICK MCGRATH,

Third-Party Plaintiff,

-v-

CRAVEABLE HOSPITALITY GROUP f/k/a  
WATERSHED VENTURES, LLC,

Third-Party Defendant.

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LEWIS J. LIMAN, United States District Judge:

On December 22, 2023, Hanford Holdings, LLC (“Hanford”) filed a motion to intervene in this action and for a turn-over order. Dkt. Nos. 91–92. However, Hanford subsequently filed a letter “request[ing] that further action regarding its pending motion to intervene be placed on hold.” Dkt. No. 101 at 2. The Court construed that letter as withdrawing the motion to intervene, without prejudice to Hanford filing a motion to intervene following the filing of any motion to vacate the Stipulated Conditional Final Judgment (“SCFJ”). Dkt. No. 102 at 1. The Court therefore ruled: “Should any party file a motion to vacate the stipulated judgment or seek any other relief from the Court, Hanford Holdings LLC may renew its motion and, upon making a renewed motion, may also request to be heard at any status conference.” *Id.* Plaintiff Scottsdale Insurance Company (“Plaintiff”) subsequently moved to vacate the SCFJ, Dkt. No. 105, and Defendant McGrath moved to either amend or vacate the SCFJ, Dkt. No. 107.

On February 20, 2024, Hanford filed a declaration of its attorney, Jeffrey Glen, “in

response to the motions to vacate” the SCFJ. Dkt. No. 108. In that declaration, Glen attested that if Plaintiff “does not discontinue its claims against originally-named parties other than McGrath, and its defenses against McGrath’s claims other than the defense which Scottsdale previously sought to appeal, Hanford respectfully presses its motion to intervene.” *Id.* ¶ 5. Since Hanford filed that declaration, Plaintiff has not voluntarily dismissed any of its claims. Glen’s declaration also reflects a misconception that Hanford has an outstanding motion to intervene. Because Hanford withdrew its prior motion to intervene, Dkt. No. 102, no such motion is currently pending.

Thus, Hanford shall have until March 11, 2024 to file a formal motion to intervene, with an accompanying memorandum of law and affidavit. *See* Local Rule 7.1(a). The memorandum of law must specify whether Hanford seeks intervention of right, Fed. R. Civ. P. 24(a), or permissive intervention, Fed. R. Civ. P. 24(b), and provide the relevant authorities for its position, Local Rule 7.1(a)(2). Should Hanford file a motion to intervene after March 11, 2024, the Court may deny it solely on the basis of its untimeliness.

SO ORDERED.

Dated: March 1, 2024  
New York, New York



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LEWIS J. LIMAN  
United States District Judge